

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of
ROSIER-MONTUS, et al.****Examiner: LEFFERS, Jr., Gerald G.****Application No.: 09/846,456****Art Unit: 1636****RECEIVED
CENTRAL FAX CENTER****Filed: May 2, 2001****FEB 15 2005****Title: REGULATORY NUCLEIC ACID FOR
THE ABC1 GENE, MOLECULES
MODIFYING ITS ACTIVITY AND
THERAPEUTIC USES****TELEFAX CERTIFICATE****I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, Alexandria, VA 22313, on****February 15, 2005****Date of Transmittal****Jonas Pierre, Jr.
Signature****Response to Non-Final Office Action Accompanying Petition to
Revive Under 37 CFR 1.137(b)****Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450****Sirs,**

Applicants hereby file a response to the non-final Office Action issued July 13, 2004 for the above-identified application. A Notice of Abandonment for this application was issued on February 5, 2005. A petition to revive this application and the required fee accompany this amendment. This amendment was previously filed on November 15, 2004, but included a typographical error, which incorrectly listed the application serial number as 10/846,456. Reconsideration of all pending claims is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment necessitated by this amendment to Deposit Account No. 18-1982.

Amendments to the Claims begin on page 2 of this paper**Remarks begin on page 8 of this paper.**

PTO/S&P/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
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FORM**

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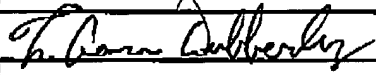
Total Number of Pages in This Submission **11**

Application Number	09/846,458
Filing Date	May 02, 2001
First Named Inventor	Marie-Françoise ROSIER-MONTUS et al.
Art Unit	1636
Examiner Name	LEFFERS, Jr., Gerald G.
Attorney Docket Number	ST00015 US NP

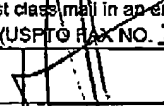
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CENTRAL FAX CENTER****FEB 15 2005****ENCLOSURES (Check all that apply)**

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	1. Petition to Revoke (2 pages) 2. Response to Non-Final Office Action (8 pages)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AVENTIS PHARMACEUTICALS INC.		
Signature			
Printed name	F. Aaron Dubberley		
Date	February 15, 2005	Reg. No.	41,001

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. <u>703-872-9306</u> ; Total No. of Pages Transmitted: <u>11</u>)	
Signature 	
Typed or printed name	Jonas Pierre, Sr.
Date	February 15, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.